

Intervention of Michael H. Posner, Assistant Secretary of State for Democracy Human Rights and Labor

U.N. Human Rights Council, Geneva Wednesday, September 30, 2009

As Prepared

Mr. President, Thank you. I am pleased to address the Council as the new U. S. Assistant Secretary of State for Democracy, Human Rights and Labor. I value the opportunity to participate at this forum, where I can develop a greater understanding of what we can do to support effective action on human rights issues by the Council and the United Nations.

Last Wednesday, President Obama addressed the U.N. General Assembly and called for a new era of U.S. engagement with the world. He expressed his determination that the United States be a leader in meeting complex challenges to global prosperity and peace. And he emphasized that respect for human rights and democracy is essential to sustained prosperity and lasting security.

In his speech, President Obama highlighted the passage in the U.N. Charter that reaffirms "faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women." He went on to say that "(A)mong those rights is the freedom to speak your mind and worship as you please; the promise of equality of the races, and the opportunity for women and girls to pursue their own potential; the ability of citizens to have a say in how you are governed, and to have confidence in the administration of justice." The President stated that "just as no nation should be forced to accept the tyranny of another nation, no individual should be forced to accept the tyranny of their own government." And he pledged that "America will always stand with those who stand up for their dignity and their rights."

Building on themes he sounded in his speech in Cairo earlier this year, the

President has provided clear direction for our approach to the Council's work. It is guided by three tenets: a commitment to principled engagement; apply consistently international human rights and humanitarian law; and a fidelity to the truth.

The Obama Administration's decision to join the Council is an important part of our engagement. We come here in the spirit of Eleanor Roosevelt, the first chair of the Human Rights Commission, seeking to build on her noble tradition. We will support what the Council does well, but also will challenge those aspects of its work where we see the need for fundamental change. We will look for common ground, but we also will be ready to stand alone when we feel our principles and interests are at stake. We seek to build partnerships that transcend traditional geographic groupings and that are based on an appreciation of shared responsibilities to the world community. Our co-sponsorship with Egypt of a resolution on Freedom of Expression at the Council represents the type of new partnership we will work to forge.

The second tenet is a dedication to apply consistently international human rights and international humanitarian law to all countries in the world, including ourselves. We seek to lead by example, by meeting our own obligations under both domestic and international law. Following the attacks on September 11, 2001 the previous U.S. administration adopted a number of policies and practices that deviated from our founding principles. President Obama's decision on his second day in office to end abusive interrogations, to close the detention facility at Guantanamo and to review security detention policies more generally are emblematic of our commitment to apply these universal principles to ourselves.

By universality we mean that all governments – no exceptions — are responsible for ensuring the rights and freedoms spelled-out in international human rights and humanitarian law. Next year, we will report to the Council through its Universal Periodic Review procedures and to the Human Rights Committee under the International Covenant on Civil and Political Rights. We take these reporting processes seriously and call on all other U.N. members to do the same. Too

often in the past, governments with poor human rights records have tried to disable the United Nations' human rights machinery to shield their own practices from criticism. The protection of human rights everywhere is the legitimate business of everyone. There should be no exceptions to the protection of the rights of women.

It is almost 15 years since the Beijing World Conference and even longer since the Vienna Declaration and Programme of Action proclaimed "the human rights of women should form an integral part of the United Nations human rights activities, including the promotion of all human rights instruments relating to women." It is past time for the HRC to bring about women's equality before the law. We strongly support the Colombian and Mexican initiative to appoint an Independent Expert on this topic. We also strongly support initiatives aimed at eliminating violence against women and girls, from the U.S.-introduced Security Council Resolution 1888 on addressing sexual violence in armed conflict situations, to the UNGA ministerial panel on violence against children we cohosted with the Netherlands and Brazil.

The third tenet is fidelity to the truth. We will not hesitate to challenge resolutions and other actions that we believe undermine the effectiveness of the Council and its mandate. We are concerned by efforts by some Council members to eliminate or weaken country mandates. At the same time, the Council's approach to country specific mandates must be objective, unbiased and applied more consistently. We will continue to challenge the Council's disproportionate attention to Israel. This does not mean that we favor ignoring Israel's human rights record or exempting Israel from universal principles.

We also will urge the Council to devote its greatest attention to countries where there is a consistent pattern of gross human rights violations. We will work hard to defend the independence of human rights special procedures and work to ensure that they are given strong mandates, adequate resources and access to do their jobs properly.

Finally, we are concerned by the trend at the United Nations, and at the Council in particular, to marginalize the role and participation of NGOs. As the Council prepares for its 2011 review, we will work to ensure access and participation for civil society in the Council's proceedings.

If we succeed in strengthening the U.N. system and the Council, we will help empower women, ensure that the disabled reach their full potential, oppose hatred and discrimination, and protect ethnic and religious minorities across the globe.

Mr. President, I look forward to working with you and my fellow Council members in the years ahead.